

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
REORGANIZATION MEETING HELD JANUARY 5, 2021**

CALL TO ORDER

At 7:00 p.m. the Mayor called the meeting to order and the Township Clerk stated adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

The following Council members were present:

Gentiana Brahimaj
Manuel Couto
Jeanne Kingsley
Alvaro Medeiros
Jeff Varnerin
Stephen Yellin
Angie D. Devanney, Mayor

Also present were:

Township Attorney: Chris Corsini
Township Administrator: Liza Viana
Township Clerk: Ana Minkoff

FLAG SALUTE

Mayor Devanney asked everyone present to stand for the Flag Salute.

ADMINISTRATION OF OATH OF OFFICE TO JEANNE KINGSLEY AND JEFF VARNERIN

Mayor Devanney noted that Jeanne Kingsley and Jeff Varnerin were sworn in at a ceremony held earlier in the day.

NOMINATIONS FOR 2021 COUNCIL PRESIDENT

Mayor Devanney asked for nominations for Council President.

Mrs. Brahimaj nominated Mrs. Kingsley, seconded by Mr. Couto.

Approval of Nomination of Mrs. Kingsley for Council President

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

NOMINATIONS FOR 2021 COUNCIL VICE PRESIDENT

Mayor Devanney asked for nominations for Council Vice President.

Mrs. Kingsley nominated Mr. Couto, seconded by Mr. Varnerin.

Approval of Nomination of Mr. Couto for Council Vice President

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

Mover: Mrs. Brahimaj
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Mayor Devanney read a statement regarding the procedures for public comment given the virtual (ZOOM) meeting.

Mr. Carrellas of 35 Sycamore Avenue asked about the procedure and purpose of the multiple public comment sessions. He also asked about the reason for not allowing members of the public to turn their video on. Mayor Devanney responded.

Mr. Carrellas referenced Agenda Items # 5 thru 8 and 46 thru 47, relating to the Court appointments and asked how the selections were made. Mayor Devanney responded.

Mr. Carrellas referenced Agenda Items #42 and 49, related to the contracts with Mr. Solfaro and Neglia Engineering. He asked about the agreement and the benefits to the Township. Mayor Devanney responded.

Closing of the Hearing on Agenda Items Only

Mover: Mrs. Brahimaj
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

APPROVAL OF RESOLUTIONS

1. Resolution consenting to the appointment of Savo Schalk as Municipal Attorney in an amount not to exceed \$100,000.00.

Approval of Resolution

Mover: Mr. Couto
Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

2. Resolution appointing Liza Viana as Public Agency Compliance Officer for the Township.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

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Nays: None
Abstain: None
Absent: None

Result: Approved

3. Resolution appointing Barbara Russo and Ana Minkoff as representatives to the Community Development Revenue Sharing Committee.

Approval of Resolution

Mover: Mr. Medeiros
Second: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

4. Resolution authorizing Barbara Russo as Fund Commissioner and Liza Viana as Alternate Fund Commissioner for the Garden State Municipal Joint Insurance Fund.

Approval of Resolution

Mover: Mr. Varnerin
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

5. Resolution consenting to the appointment of Michael Mitzner as the Municipal Prosecutor.

Approval of Resolution

Mover: Mr. Yellin
Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

6. Resolution appointing Michael Wittenberg, John Henry Barr and Howard Egenberg and as Alternate Municipal Prosecutors for the year 2021.

Approval of Resolution

Mover: Mrs. Brahimaj
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

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7. Resolution consenting to the appointment of August Santore as the Public Defender.

Approval of Resolution

Mover: Mr. Couto
Seconder: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

8. Resolution appointing Jared Weiss and Thomas J. Dooley as Alternate Public Defenders for the year 2021.

Approval of Resolution

Mover: Mrs. Kingsley
Seconder: Mr. Medeiros
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

9. Resolution appointing Anthony Padovano, Jr. as Chief of the Berkeley Heights Volunteer Fire Department.

Approval of Resolution

Mover: Mr. Medeiros
Seconder: Mrs. Brahimaj
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

10. Resolution appointing James Hopkins as Fire Official.

Approval of Resolution

Mover: Mr. Varnerin
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

11. Resolution appointing the 2021 Fire Inspectors.

Approval of Resolution

Mover: Mr. Yellin

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Seconded: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

12. Resolution appointing Jeff Varnerin to the Board of Health for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mrs. Brahimaj
Seconded: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

13. Resolution appointing Jeanne Kingsley, Council Representative, to the Planning Board for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mr. Couto
Seconded: Mrs. Brahimaj
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

14. Resolution appointing Gentiana Brahimaj and Jeanne Kingsley to the Communications Committee for a term to expire on 12/31/2021.

Mr. Medeiros proposed amending this resolution to replace Mrs. Kingsley with Mr. Yellin.
Seconded by Mr. Yellin.

Mr. Yellin read a statement regarding his qualifications and desire to remain on this committee.
Councilmembers responded and provided their feedback.

Motion to Amend the Resolution

Mover: Mr. Medeiros
Seconded: Mr. Yellin
Ayes: Mr. Medeiros, Mr. Yellin
Nays: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Varnerin
Abstain: None
Absent: None

Result: NOT Approved

Approval of Resolution

Mover: Mrs. Kingsley
Seconded: Mr. Varnerin

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Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Varnerin
Nays: Mr. Medeiros, Mr. Yellin
Abstain: None
Absent: None

Result: Approved

15. Resolution appointing Jeanne Kingsley and Manuel Couto to the Downtown Beautification Committee for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mr. Medeiros
Seconder: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

16. Resolution appointing Manuel Couto to the Economic Development Committee for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mr. Varnerin
Seconder: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

17. Resolution appointing Stephen Yellin to the Historic Preservation Committee for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mr. Yellin
Seconder: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

18. Resolution appointing Stephen Yellin to the Memorial Park Renewal Committee for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mrs. Brahimaj
Seconder: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None

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Absent: None
Result: Approved

19. Resolution appointing Manuel Couto to the Peppertown Park Renewal Committee for a term to expire on 12/31/2021.

Approval of Resolution

Mover: Mr. Couto
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

20. Resolution appointing Robert Dorsi and Edward Sorge to the Board of Health for a (3) year term expiring on December 31, 2023.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mrs. Brahimaj
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

21. Resolution appointing Diane O'Halloran to the Berkeley Heights Public Library Board for a (5) year term to expire on December 31, 2025.

Approval of Resolution

Mover: Mr. Medeiros
Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

22. Resolution appointing CGP&H as Affordable Housing Administrative Agent for the Township of Berkeley Heights in an amount not to exceed \$15,000.00.

Approval of Resolution

Mover: Mr. Varnerin
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

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23. Resolution appointing Surenian, Edwards & Nolan, LLC as Affordable Housing Attorney Services for the Township of Berkeley Heights in an amount not to exceed \$50,000.00.

Approval of Resolution

Mover: Mr. Yellin
Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

24. Resolution appointing Harbor Consultants as Affordable Housing Planner and Redevelopment Planner for the Township of Berkeley Heights in an amount not to exceed \$70,000.00.

Approval of Resolution

Mover: Mrs. Brahimaj
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

25. Resolution consenting to the appointment of Wielkotz & Company as Township Auditor.

Mr. Yellin raised concerns with the firm Wielkotz & Company and spoke to his reasons for not supporting this resolution.

Mr. Medeiros spoke to his opposition to this resolution and changing the auditor.

Approval of Resolution

Mover: Mr. Couto
Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Varnerin
Nays: Mr. Medeiros, Mr. Yellin
Abstain: None
Absent: None
Result: Approved

26. Resolution consenting to the appointment of McManimon and Scotland, LLC, as the Township Bond Counsel in an amount not to exceed \$75,000.00.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mr. Medeiros
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

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27. Resolution consenting to the appointment of Van Cleef Engineering Associates for Engineering Services related to the Waste Water Treatment Plant in an amount not to exceed \$50,000.00.

Approval of Resolution

Mover: Mr. Medeiros
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

28. Resolution appointing NW Financial Group, LLC as Financial Advisor for the Township of Berkeley Heights for the term to expire on December 31, 2021.

Approval of Resolution

Mover: Mr. Varnerin
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

29. Resolution consenting to the appointment of Brown & Brown Metro, LLC, as the Township Employee Benefit Broker.

Approval of Resolution

Mover: Mr. Yellin
Second: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

30. Resolution consenting to the appointment of Brown & Brown Metro, LLC as the Township Property and Casualty Broker.

Approval of Resolution

Mover: Mrs. Brahimaj
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

31. Resolution consenting to the appointment of McElroy, Deutsch, Mulvaney & Carpenter, LLP, as Labor/Personnel Counsel in an amount not to exceed \$50,000.00.

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Approval of Resolution

Mover: Mr. Couto

Seconder: Mr. Varnerin

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: None

Result: Approved

32. Resolution authorizing the contract with Van Cleef Engineering Associates for the provision of On-call Licensed Operator S4/C2 services for the Township's Waste Water Treatment Plant in an amount not to exceed \$50,000.00.

Approval of Resolution

Mover: Mrs. Kingsley

Seconder: Mr. Yellin

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: None

Result: Approved

33. Resolution appointing Integra Realty Services as Real Estate Appraisal & Consulting Services for the Township of Berkeley Heights in an amount not to exceed \$30,000.00.

Approval of Resolution

Mover: Mr. Medeiros

Seconder: Mrs. Kingsley

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: None

Result: Approved

34. Resolution appointing McManimon, Scotland & Bauman LLC as Redevelopment Counsel for the Township of Berkeley Heights in an amount not to exceed \$50,000.00.

Approval of Resolution

Mover: Mr. Varnerin

Seconder: Mrs. Kingsley

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: None

Result: Approved

35. Resolution consenting to the appointment of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, PC, as Township Tax Attorney in an amount not to exceed \$50,000.00.

Approval of Resolution

Mover: Mr. Yellin

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Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

36. Resolution consenting to the appointment of Phillips Preiss as Township Planner in an amount not to exceed \$50,000.00.

Approval of Resolution

Mover: Mrs. Brahimaj
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

37. Resolution authorizing 26.25% of the total appropriations in the 2020 budget in the amount of \$4,938,411.68.

Approval of Resolution

Mover: Mr. Couto
Second: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

38. Resolution awarding a (2) two year contract, to Spectraserv Inc. for the provision of Hauling of liquid Sludge in an amount not to exceed \$82,250.00.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

39. Resolution appointing Susan Poage, Meera Rao and Lisa Judith Sills to the Grants Committee, for a (2) year term expiring on 12/31/22.

Approval of Resolution

Mover: Mr. Medeiros
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None

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Abstain: None
Absent: None
Result: *Approved*

40. Resolution renewing the Senior Citizen Advisory Board Committee through April 30, 2021.

Mayor Devanney explained the reason for the April 30th expiration date.

Approval of Resolution

Mover: Mr. Varnerin
Seconder: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: *Approved*

41. Resolution renewing the Mayor's Special Task Force on Commuter Parking & Access to Rail and New York City Transportation through December 31, 2021.

Approval of Resolution

Mover: Mr. Yellin
Seconder: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: *Approved*

42. Resolution approving a Professional Services Agreement with Thomas R. Solfaro, and Neglia Engineering Associates for Municipal engineering services for the township for a (3) year term.

Approval of Resolution

Mover: Mrs. Brahimaj
Seconder: Mr. Varnerin

Mayor Devanney commented on the 3-year term. Mr. Corsini explained, and a discussion followed. Mr. Couto suggested that the language be amended to a 1-year term with 2, 1-year renewable terms.

Approval of Resolution as Amended

Mover: Mr. Couto
Seconder: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: *Approved as Amended*

43. Resolution approving the Shared Services Agreement with County Union authorizing County Employee Joseph Graziano Sr., to provide Certified Public Works Manager Services as the Director of the Township's Department of Public Works.

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Approval of Resolution

Mover: Mr. Couto
Second: Mr. Varnerin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin
Nays: None
Abstain: Mr. Yellin
Absent: None
Result: Approved

44. Resolution authorizing the Shared Services Agreement with the Borough of Madison for IT services.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

45. Resolution authorizing a list of firms as qualified to provide services to the Township pursuant to the RFQ process.

Approval of Resolution

Mover: Mr. Medeiros
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

46. Resolution appointing John De Massi as Berkeley Heights Municipal Court Judge for a (3) year term to expire on 12/31/23.

Approval of Resolution

Mover: Mr. Varnerin
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None
Result: Approved

47. Resolution appointing Judge Brenda Cuba to serve as a back – up Municipal Judge for a (3) year term expiring on 12/31/23.

Approval of Resolution

Mover: Mr. Yellin

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Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

48. Resolution appointing Weber Dowd Law, as Special Municipal Attorney for Township for the time period commencing January 1, 2021 thru March 31, 2021.

Approval of Resolution

Mover: Mrs. Brahimaj
Second: Mr. Couto
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

49. Resolution appointing Neglia Engineering Associates for general engineering Services for the Township.

Approval of Resolution

Mover: Mr. Couto
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

50. Resolution appointing Alvaro Medeiros to the Grants Committee.

Approval of Resolution

Mover: Mrs. Kingsley
Second: Mr. Yellin
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Result: Approved

CONSENT AGENDA

All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

51. Consent Agenda Resolutions (a-j)

- a. Resolution Establishing Council Meeting Schedule for 2021.

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- b. Resolution designating the Courier News and Star Ledger as the legal newspapers and TAP into Berkeley Heights as the official electronic media newspaper for the Township.
- c. Resolution authorizing Township Treasurer to maintain a payroll account with TD Bank and draw there from.
- d. Resolution establishing interest rate on delinquent taxes and sewer charges up to \$1,500.00 and interest rate on delinquent taxes and sewer charges in excess of \$10,000.00 and allowing for a ten (10) calendar day grace period on both.
- e. Resolution authorizing the Tax Collector to conduct an annual tax sale of the prior year delinquencies.
- f. Resolution authorizing the Tax Collector to process without further action, any cancellation of property tax overpayments or delinquencies of less than \$10.00.
- g. Resolution changing custodian of the Recreation Department Petty Cash Fund to Carolyn George, Associate Recreation Director.
- h. Resolution establishing a change fund for 2021.
- i. Resolution establishing a petty cash fund.
- j. Resolution authorizing a cash management plan.

Approval of Consent Agenda Resolutions # 51 a-j

Mover: Mr. Medeiros

Second: Mr. Yellin

Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: None

Result: *Approved*

MAYOR'S STATEMENT

Mayor Devanney read a statement. (A copy of this statement is attached to the permanent minutes.)

TOWNSHIP COUNCIL STATEMENTS

Mrs. Brahimaj read a statement.

Mr. Couto read a statement.

Mr. Medeiros read a statement.

Mr. Varnerin read a statement.

Mr. Yellin read a statement.

Mrs. Kingsley read a statement.

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mr. Varnerin

Second: Mr. Yellin

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Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

Mr. Birbrower of 103 Briarwood Drive West asked about the hiring of minorities and women owned firms for the professional services contracts.

Mr. Carrellas mentioned a technical issue with the recent Environmental Commission meeting. He asked about the protocol when members of the public have issues with the Zoom meeting link. Mayor Devanney and Mr. Corsini responded, and a discussion followed.

Mr. Foregger of 14 Dorset Road shared his view regarding technical issues with Zoom meetings as they relate to the Open Public Meetings Act.

Ms. Bhargavi Akiri of 146 Robbins Avenue shared a suggestion on technical issues with Zoom meetings. Mayor Devanney and Mr. Medeiros responded.

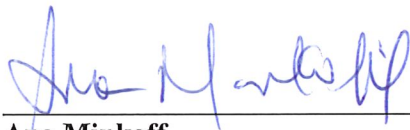
Closing of the Citizens Hearing

Mover: Mr. Varnerin
Seconder: Mrs. Kingsley
Ayes: Mrs. Brahimaj, Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: None

ADJOURNMENT

Moved by Mr. Yellin to adjourn and all were in favor.
(8:37 p.m.)

Approved: April 6, 2021



Ana Minkoff
Township Clerk

State of the Township Address
January 5, 2021

Good evening. Happy New Year to everyone. Happy 2021. I don't think any of us have wanted to usher in a new year so badly as this one. First, a moment of silence for the 66 Berkeley Heights residents who have lost their lives and the 713 residents who have battled COVID19, the horrific virus that has wreaked havoc on our lives and our economy.

Given the historic nature of the past year, today you may regard this speech as atypical from previous State of the Township addresses. It is important to remember how our community came together and rose to combat the pandemic. It was a year in which we had to adjust and adapt. It was a somber year, but also one which showed our resilience and our collective strength when we work together.

Never could I have imagined when I ran for Mayor in 2018 that I would be tasked with managing a global pandemic, locally, a little over a year after taking office. I could not fathom a daily routine of reporting the statewide and county number of patients hospitalized, those admitted into ICU, those on a ventilator and, sadly, those who died. I will never forget the first time I reported the death of a Berkeley Heights resident at one of our Long-Term Care facilities (LTCs) and, as recently as last week, in our community. It does not get easier.

New every-day words entered our lives in 2020: social distance, hand sanitizer, masks, travel bans, birthday honks, reductions in indoor and outdoor capacity. Regular residents formed groups like BH FLAG and Neighbors Helping Neighbors to help front line and essential workers, seniors, and residents in need with every day matters we took for granted like childcare. Mask delivery from members of the community to our first responders and to veterans showed how we took care of one another.

Many of us dusted off our bikes and began a new healthy routine of walking regularly with loved ones and many, many walks with our beloved dogs. Dog and pet adoption at an all-time high. We truly saw our neighbors and stopped to take the time to ask how they were doing.

So, it was reasonable in January and February, when we watched Asia and Europe fall into an abyss of a global pandemic, we felt hopeful about 2020 with the prospect of graduations, spring sports seasons, weddings, vacations, birthday parties, family gatherings for holidays, travel abroad or just travel across state lines. What was to transpire has been a roller-coaster of emotion and feelings.

By March 9, 2020 the first case of Coronavirus was reported in Berkeley Heights. The Office of Emergency Management team and I took a conservative approach to the pandemic, declaring a State of Emergency. Shortly thereafter, I ordered the closure of Township playgrounds and parks as well as local government offices by mid-March. Our world came to a screeching halt when the Governor issued a stay-at-home order on March 21. We anxiously watched the daily press briefings as childcare centers and non-essential businesses closed. Union County became the first county Covid testing site to open in New Jersey - at Kean University.

In April, 2020 though parks and golf courses reopened, we were learning of asymptomatic patients that were impacting Long Term Care facilities and triggering a staggering death toll. It became clear our community was not immune to this deadly virus. I ordered flags half-staff on April 3rd to honor residents lost only three weeks after the first case. Foreign-licensed physicians were called upon to combat shortage of doctors as our health care system in New Jersey was in crisis while New York

Governor Cuomo sent 100 ventilators to New Jersey - a shortage that seemed impossible and a concept unimaginable just a few weeks prior. The state and federal government launched small business loan programs, but many businesses cannot complete an application before funds were depleted. Covid-19 testing was at an unprecedented new high at the Union County testing site and by early April all state and county parks were also closed. I wrote about my experience volunteering at the site—the fear of those coming in droves to be tested. A shortage of public workers emerges as front-line workers were struck by the virus and the Governor allows retired public workers and law enforcement to rejoin the workforce without penalty. It is impossible to think, now reflecting back, that no mask requirement was in effect but only a strong suggestion.

Bright spots emerged despite the darkness that seem to fall upon our community Berkeley Heights Business Aid is launched to help raise funds to enable our struggling businesses stay afloat during shut down. Easter 2020 will be emblazoned in my mind as the Easter Bunny traveled the Township on the Berkeley Heights Fire Department firetruck. I can never forget, seeing the faces of children and those of adults in tears at the prospect of some normalcy and connection. Running aside the bunny not wanting to let go of that hopeful moment. Our isolation was difficult.

Then, it seemed as though the pandemic stood still from a moment on May 25, 2020 when the life was squeezed out of George Floyd in 8 minutes 46 seconds. A recording-breaking number of residents came out on June 7th to March for Black Lives in Berkeley Heights. It was the beginning of doing the hard work of being truthful about systematic racism and discrimination, at a time that xenophobia was bubbling up in the Asian community with the spread of coronavirus. So many of our neighbors and friends have suffered in silence as we have since come to know. I commend all of you for breaking your silence.

Yet with all the darkness, a light shined once again showing the best of us. Our Berkeley Heights Police Department stood in the streets-- in front of the homes of our veterans-- offering a stirring and beautiful tribute to our war heroes playing Taps and saluting them. This served as another moment of community connection as we cannot hold our traditional Memorial Day remembrance. It is true that May 2020 vacillated between an easing of our collective anxiety to a stark realization of the destruction the virus had created. Non-essential businesses reopened to curbside pick-up and tennis courts opened for singles. We collectively exhaled, as we began to see numbers trend on the backside of the curve. Yet, one of the most challenging issues to confront us as parents, on-line learning, would remain in place as Governor Murphy announced schools would remain closed for the remainder of the year. This just as the number of unemployment claims for the year exceeded 1 million - a 524 percent jump from 2019, according to the state Labor Department.

Despite a high of 97 active cases among our vulnerable population institutions (VPIs) or LTCs, June 2020 saw the stay-at-home order lifted, indoor and outdoor capacity increased at our businesses, restaurants reopened with outdoor seating, seniors banners were hung in our downtown for our GLHS graduates and *luckily*, personal care facilities reopened.

A spike in young adult Covid cases occurred in July, and regardless, our seniors graduated-- though not together-- in an unprecedented graduation ceremony that required two groups. Much of New Jersey reopened. As was our luck in 2020, August brought Superstorm Isaias, causing me to write the Governor insisting on changes to regulations and communication that the BPU should require of power companies. We rounded out the summer with intensified negotiations with the developer of the municipal complex, Epic, to amend the redevelopment agreement to tighten up areas of concern and ensure substantial completion in 2020.

The return to in-person/hybrid learning ushered in September 2020 with trepidation and excitement. As construction progressed with the new municipal complex, an old vehicle buried deep beneath the new parking lot was extricated, as 2020 would have it. We proved, once again, that we were *truly* all in it together as Delicious Heights and DiMaio's offered their outdoor dining areas for our seniors to safely assemble for bingo. Embassy Suites hotel offered socially distanced exercise space for our seniors when the weather was inclement to meet up at lower Columbia. The Township was able to remember Commander Murphy & Scott Hazelnor who lost their lives in the 9/11 attacks. The light at Snyder Avenue and Locust was installed and energized, which proved to be a high point of the entire year. Voting by mail began resulting in a record number of votes cast in 2020.

Firmly entrenched in the second wave, we learned we must remain vigilant with our masks, social distance and practice frequent hand sanitizing. October 2020 also marked the return to a number of important township issues while keeping a mindful eye on the pandemic. I am proud to have led the effort to get a bill introduced in Senate and Assembly to allow municipalities to establish priority for first responders for affordable housing. The Township Council passed the Mondelli Park maintenance agreement, and an unusual Halloween was marked by socially distanced trick-or-treating and a memorable Trunk or Treat sponsored by our wonderful PBA at Connell. Despite the pandemic, the Township moved on with the westside drainage study and infrastructure pushes on. Berkeley Heights hosts one of the first Union County Covid mobile testing site for our residents.

November 2020 the Township witnessed a large spike in student Covid cases as a result of indoor Halloween parties, causing virtual classes at GL as well as a pause on outdoor sports. But by December 2020, the Township employees moved into the new building and the community mastered the art of the virtual event with Veteran's Day, Christmas tree lighting, menorah lighting and Diwali celebration. What we missed greatly this year was Winter Walk and the July 16th Mt Carmel fireworks. Both hallmarks of Berkeley Heights.

After this grueling and difficult last year, I submit that we have gained more than we have lost. In times and moments of utter turmoil and fear, we are all in it together. We helped one another when it mattered most. More time with our family proved to be the best gift we could have wished for; teachers are to be revered as remote learning is hard on us all, from kindergarten to college and parents; essential workers like grocery store and delivery personnel are to be exalted in our community; doctors, nurses, health care providers are angels and cause for daily celebration; front line workers such as our local police department, our volunteer rescue squad and fire department, our DPW, our sewer department never wavered in their commitment to the Township. Township employees were taxed beyond what they thought they could do. They got the job done. Many of these people who we took for granted were now our everyday heroes. Our residents continued to step up to help. As they say, "things don't get easier, you get better." We are so much better, Berkeley Heights.

So I ask you, imagine a world where Black Lives Matter and we respect and celebrate our police department; imagine a world where your color, gender, sexual orientation, gender identity, religious background or learning differences are admired; imagine a world where we can agree or disagree on politics and still love our neighbor regardless of their party label. Imagine a world where we can hug, hold hands, dance together, come together as a community and just *BE* with one another. That is what I wish for every resident in Berkeley Heights. Happy 2021.

Thank you.

